THE SPECIAL PROTECTION GROUP (AMENDMENT) BILL, 1999

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): Sir, I beg to move:

> "That the Bill further to amend the Special Protection Group Act, 1988, be taken into consideration."

Sir, the Special Protection Group was set up really in 1985, shortly after the tragedy which occurred in 1984, but it received statutory status only when the Parliament enacted the Special Protection Group Act in 1988. It was then that it received the statutory sanction. There had been a couple of amendments after that. Firstly, the first Act was confined to the incumbent Prime Minister. It was only in 1991 that it was extended to former Prime Ministers and their immediate family members and it was said "former Prime Ministers". The Act also said that it would be for a period of five years after they ceased to be Prime Ministers. In 1995, another amendment was moved in which the words"five years" were substitued by "ten years" so that the former Prime Ministers also became entitled to SPG cover for a period of ten years after they ceased to be Prime Ministers. Now this is the third amendment after that, and this third amendment is not a blanket amendment of the kind that was undertaken in 1995, that instead of ten years, we make it fifteen years. No; "ten years" continues to be what it was earlier; there is no proposal to change "ten years". But it is said that the Act provides that when the ten years come to an end, the Government would be required to make an assessment whether the same kind of threat is there, a grave threat, a threat from terrorist organisations, and if it is a continuing threat, and if the Government comes to that conclusion then irrespective of the fact that ten years are over, the SPG cover can continue. This particular decision had to be taken because in the case of Mrs. Sonia Gandhi, wife of former Prime Minister Rajiv Gandhi, entitled to SPG cover, this was coming to an end on the 1st of December. The ten years were coming to an end on the 1st of December this year and therefore, the Government had to take a decision, and the Government took a conscious decision that we would not make ten years to fifteen years. But we will certainly see that the family immediately affected by the end of these ten years is properly cared for. And, so, it was decided that we issue an Ordinance, and by that Ordinance we continued to provide SPG cover to

Mrs. Gandhi and her children. This has been the objective of the Ordinance, and today, the Bill that I have proposed seeks to replace that Ordinance. In this Bill itself, we have also provided - in the original Bill itself, in 1988, it was provided - that if any Prime Minister, or, a former Prime Minister says that he does not need SPG cover, then, the Government would withdraw it. Now, it is provided - because this has been there in the Original Act - that if the Prime Minister says that he does not want it, and he seeks withdrawl of SPG cover, it would be automatically withdrawn from his immediate family members also. This would be automatic. It is also provided that after ten years, there would be a periodic evaluation of the threat perception. At least, once a year, this kind of evaluation would take place so that we ensure protection of this hign order to those who deserve it. SPG is an elite force. They are specially trained for this purpose. Anyone who has had anything to do either with the SPG or with the NSG, that is, the other elite force created earlier, would know that they are really, specially trained for the purpose of protection of important persons of this kind. However, I would like to share with the House my own perception on this occasion that over the years, this question of VIP security has been increasing in a manner as to affect even common citizens.

These days the Government is undertaking an exercise as to what is really necessary. I recall this is the second time I have come in the Government. The first occasion was about 20 years back. When Mr. Morarji Desai was the Prime Minister, I was a Member of that Government. At that time, even the Prime Minister had practically no security, just one PSO, or, something of that kind. None of the Ministers had any security and gradually, in these 20 years, VIP security has been proliferating in a manner as to, firstly, lowering us in the esteem of the people. All politicians are thereby somewhat diminished that way. And, secondly it reduces the number available. I can give the example of Delhi. The total police force is around 57,000 and 7,000 of these are on VIP security. Out of 57,000, if 7,000 are on VIP security, it certainly highlights the fact that for the common citizen, the security needed is considerably reduced on that account. But I am sharing this with you because I know that the moment the Government comes to a conclusion that five years back so and so was given security, when there was a threat, today, that threat is no longer there and therefore, the security should be withdrawn, the moment it is withdrawn, there are protests; protest letters are written to me, written to

the Chairman or the Presiding Officer of the other House, saying why it has been done, that it is a wrong thing, etc. We must take cognizance of everything that is complained of and in order to review that complaint - because it is difficult - we have to set up a small team in the Government or in the Home Ministry to assess the threat perception to various individuals.

It is on the basis of their recommendation decisions are taken. Another thing is that over a period of time, on the basis of security threat, senior political leaders or former Members of Parliament or former Ministers are being allotted houses. This has become another issue. I am not sharing a secret with you. But I can tell you that people come to me and say, "I would like to continue in Delhi. I have no other way except that you provide me security and on that basis a house is provided to me." Now, I am of the view that in this particular matter I need the assistance of the whole House, all sections of the House. They should assist me in ensuring that the Government discharges its duty towards those who really need security. The reason why we are passing this Bill today is that we feel there is still a threat, a continuing threat and a grave threat from terrorist organisations. So, though the ten-years' period may have come to a close, we have decided that it should continue and there would be periodic evaluation later. While it is the Government's duty to see that the people who are at the helm of affairs or who have, in public life, functioned in a certain manner and are to invite the wrath of certain elements or certain organisations are given due protection. The Government has a duty to the common people, the common citizen. I do feel that our security forces are not of a high level, particularly, when compared to the kind of internal security environment that obtains in certain parts of the country like Jammu and Kashmir and North-East or some other parts of the country. It is not possible to take away something from there and yet be able to provide the necessary security to the common man. In order to ensure that both these things are possible, I need the assistance and support of the entire House, all sections of the House, to see that we are able to implement certain guidelines, which we undertake shortly to curtail the present level of security provided to VIPs in a drastic manner. Having made these points relevant to the question of security, I commend to the House that it should adopt this Special Protection Group (Amendment) Bill, 1999 unanimously so that it replaces the Ordinance which is there. Thank you.

The question was proposed.

1.00PM

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Thank you, Mr. Minister. I am confident that this House realises the unenviable position in which you are placed. I have got two names before me.

श्री संघ प्रिय गौतम (उत्तर प्रदेश): गृह मंत्री जी आपने फरमाया कि आगे आप गाइड लाइन तय करने जा रहे हैं। जब आप गाइड लाइन तय करेंगे तभी तो इस पर विचार करेंगे। आज तो कोई गाइड लाइन तय नहीं की है?

श्री लाल कृष्ण आडवाणी : मैंने आज नहीं की है। लेकिन वह गाइड लाइन्स इस समय बन रही हैं। गाइड लाइन्स बनेंगी तो मैं चाहूंगा कि पार्टी नेताओं से थोड़ी सलाह करूं, क्योंकि उसका परिणाम होगा। उनसे सलाह करने का कारण है। जैसे-मैं एक उदाहरण दूं। ...**(व्यवधान)**...

SHRI GURUDAS DAS GUPTA (West Bengal): Why do you need to talk to the parties? The point is simple. *(Interruptions)*...

SHRI SANGH PRIYA GAUTAM: I have not yet finished. उपसभाध्यक्ष महोदय, बड़ी साधारण-सी बात है। हम वी.आई. पीज़. की बात कर रहे हैं और वी.आई.पीज़. को सुरक्षा प्रदान की जाए यह बात तो समझ में आती है। लेकिन जहां गैंग रायवलीज़ हैं जहां माफिया हैं, जहां पर्सनल एनिमिटीज़ हैं, पर्सनल लिटिगेशन्स हैं और वह वी.आई.पी. बनकर आ गए तो they had invited the danger to their life themselves. How are the people of India responsible for it? Therefore, it should also be taken into consideration.

SHRI GURUDAS DAS GUPTA: My point is this. *(Interruptions)*...

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): There are two names before me. *(Interruptions)*...

SHRI GURUDAS DAS GUPTA: I am putting a question to him. My point is this. Why do you need to speak to the parties? The point is this. You should take steps according to the reports that are available to you. It should not be left to the political parties or it should not be left to the well-wishers of the individual concerned. The Government should take a decision on the basis of merit. And if, according to our own understanding, there is no need for providing a high-profile security cover to an individual

who does not need it at all, but it is there just to show that how important he is, why should the money of the Government or of the country be spent? You should take a decision on the basis of merit.

श्री गुलाम नबी आज़ाद (जम्मू और कश्मीर): Sir, I totally agree with him. ऐसे बहुत सारे लोग, जिनको सिक्योरिटी की जरूरत है उनके पास सिक्योरिटी नहीं है और जिनको मच्छर भी नहीं काटेगा उनके पास सिक्योरिटी है, एक स्टेटस बनाने के लिए, जैसे ब्लैक केट इत्यादि। I think this should be totally on the basis of security required by individuals and not just to maintain the status of a high-profile person.

SHRI L.K. ADVANI: Sir, the specific point which has been raised by Shri Gurudas Das Gupta is this. Why do you need to consult political parties? I would be very happy to do this but my experience in this regard for the last one-and-a-half-years is not good. The protest comes not only from the Member concerned, but even from the party leaders. Sometimes, they say "this is not right". What you have done? Our people, whosoever it may be, have some prejudice against him, that is why his security has been withdrawn. etc. etc. The situation in the States is even more worse. There are some States in which almost all the MLAs have been provided a security guard. Over a period of time, you will find that this particular securityman does not have anything to do with security. He just takes the person's bag with him *(Interruptions)*.चाय, पान मसाला खाते रहते हैं।....**(व्यवधान)**..... This reflects very badly on the entire community of political workers, political activists, etc. *(Interruptions)*.

श्री नागेन्द्र नाथ ओझा (बिहार): जिनसे दूसरों को खतरा है उनको भी सिक्योरिटी मिली हुई है । यह नहीं होना चाहिए।

श्री लाल कृष्ण आडवाणी : आपने भी वही बात कही है जो श्री संघ प्रिय गौतम जी ने कही है। इसके लिए एक गाइड लाइन जरूर होगी। सिक्योरिटी उन केसेज में है, मान लो कोई व्यक्ति प्राइम मिनिस्टर रहा हो या मिनिस्टर रहा हो तो उनसे कुछ ऐसे काम हुए होंगे जिनके कारण कुछ तत्व उनसे नाराज हो गए, मिलिटेन्ट नाराज हो गए और कुछ एंटीनेशनल एलीमेंट्स उनके खिलाफ कदम उठाना चाहते हैं तो यह तो समझ में आता है । वह आज मंत्री है या नहीं है , इसका सवाल नहीं है, बेसिकली वे अपनी पब्लिक लाइफ में ड्यूटी करने के कारण शिकार हुए हैं, यह मेरी समझ में आता है । लेकिन यदि उनके अपने काम ही ऐसे हों जिनके कारण उनको खतरा पैदा हो तो इसकी चिंता सरकार नहीं कर सकती।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Now it is one o'clock. Should we adjourn the House or continue?

SHRI NILOTPAL BASU (West Bengal): Sir, please take up the CISF Bill...*(Interruptions)*....

SHRI HANSRAJ BHARDWAJ (Madhya Pradesh): Sir, we can pass this Bill also. The hon. Minister has very elaborately explained the intention of the Government and we commend it. The approach is very positive. The only thing is that in case the security of anybody is withdrawn, he should be given a notice about this. He should be told "you no longer have any security". This is the first time that I find this Government taking a positive approach to this question of security. We should pass it unanimously.

श्री जलालुदीन अंसारी (बिहार): महोदय, माननीय मंत्री जी ने जो बात कही है उस पर हम लोगों की सहमति है। वे जो करना चाहते हैं उसे खुद बोल रहें हैं। वी.आई.पी. और वी.वी.आई.पी. के प्रोटेक्शन के लिए आप सुरक्षा बल और पुलिस बल को लगाते हैं, जहां तक जनता की सुरक्षा का सवाल है वह इससे बाधित होता है। इसलिए सरकार को इस दिशा में सही सोचकर विचार करना चाहिए। यह बात भी सही है कि जिनको सुरक्षा चाहिए उनको अवश्य मिले। परंतु कुछ ऐसे लोग भी है जिन्हें सुरक्षा की जरुरत नहीं है किंतु फिर भी वे सुरक्षा लेकर दूसरों की सुरक्षा बाधित कर रहे हैं। इस मुख्य बिंदु पर माननीय गृहमंत्री जी को ध्यान देना चाहिए।

दूसरी बात मैं यह कहना चाहता हूं कि आतंकवाद, उग्रवाद के जरिये जहां हमारे समाज को नुकसान पहुंचाया जा रहा है और विशेष व्यक्तियों को सुरक्षा प्रदान नहीं की जा रही है, इस विषय में सरकार की जवाबदेही बनती है कि वह उनको सुरक्षा प्रदान करे और उनके लिए सुरक्षा उपाय करे। साथ ही हमारा जो सी.आई.डी. विभाग है, खुफिया विभाग है उसे सतर्क होना चाहिए कि वह सही समय पर इन लोगों को सूचनाएं देती है या नहीं देती है। उसको कैसे स्टिमुलाइज करे कि वह सही सूचनाएं दे और उसके जरिये सरकार उचित कार्यवाही कर सके। ये बातें कहते हुए मैं इसका समर्थन करता हूं।

श्री बलवन्त सिंह रामूवालिया (उत्तर प्रदेश) उपसभाध्यक्ष जी, मुझे जाति तौर पर सुरक्षा और आतंकवाद का तजुर्बा है। मैं माननीय गृह मंत्री जी, हाउस के माननीय साथियों के इस विचार से पूरी तरह से सहमत हूं कि बहुत से लोगों ने मोटीवेट तरीके से सिक्योरिटी ली हुई है, मैं खुद भी ऐसे लोगों को जानता हूं जिन्होंने चिट्ठियां लिखाकर तरीका निकाला और घर ले लिए। घर भी टाइप-7, टाइप-6 के। मैं माननीय गृह मंत्री जी से दो बातें कहना चाहता हूं कि एक तो सिक्योरिटी

के जो व्यक्ति तैयार किए गए हैं उनकी गिनती ज्यादा है जबकि उनकी क्वालिटी में फर्क है। आप एक ऐसी तजवीज कीजिए कि गिनती कम हो जाए लेकिन क्वालिटी उनकी हो जाए। यदि मैं अमरीका, कनाडा जाता हूं, मैं बहुत बरसों से उनसे लड़ रहा हूं हमारे साथ एक आदमी ही कनाडा, इंग्लैंड में काफी है, यहां दस हैं, परंतु मुझे ख्याल नहीं आता कि उन्होंने कभी हथियार ठीक से टैस्ट भी कराये होते है या नहीं कि यदि आतंकवादी आ गए तो वह चलेगा।

दूसरी बात मैं आपके माध्यम से यह कहना चाहता हूं कि जब सिक्योरिटी विदड्रा करनी होती है, तो जिन लोगों से सिक्योरिटी विदड्रा की जाए, उन्हीं से की जाए। ऐसा न हो कि एक ही रस्सी से सभी को बांध दिया जाए। तो यदि किसी को रियल रिस्क है और उसके पास कोई सरकमस्टांसेस, एविडेंस है, तो जिसको सिक्योरिटी मिली है उसको उच्च स्तरीय किसी सलाहकार समिति से बातचीत करने का मौका...**(व्यवधान)**...अपनी बात करें, सर, तो जो लोग सिक्योरिटी लेते हैं उनके लिए दृष्टिकोण अलग न होगा, इसको ध्यान में रखा जाए।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): His point is that there will not be a unilateral decision and an opportunity will be given to the person concerned before withdrawing the security.

श्री संजय निरुपम (महाराष्ट्र): माननीय गृह मंत्री जी ने जो विधेयक सदन में पेश किया है मैं भी उसके समर्थन में खड़ा हुआ हूं। मैं माननीय गृह मंत्री जी के सामने प्रश्न से ज्यादा एक सुझाव रखना चाहता हूं कि एस.पी.जी. सिक्योरिटी कवर जो सबसे महत्वपूर्ण व्यक्तियों को दिया जाता है....

श्री लाल कृष्ण आडवाणी: केवल प्रधानमंत्री और पूर्व प्रधानमंत्री को दी जाती है।

श्री संजय निरुपम: क्या इस कानून में ऐसा कोई संशोधन किया जा सकता है कि प्रधानमंत्री और पूर्व प्रधानमंत्री के अलावा देश के प्रमुख व्यक्तियों जैसे शिव सेना प्रमुख श्री बाला साहब हैं, गुलाम जी, हंसने की बात नहीं है, यह बहुत गंभीर प्रश्न है, महोदय, क्या कानून में थोड़ा सा बदलाव करके, थोड़ा सा संशोधन करके माननीय शिव सेना प्रमुख जैसे महत्वपूर्ण व्यक्तियों को भी शामिल किया जा सकता है? जैसाकि आपने अभी मेरे स्पेशल मेंशन के जवाब में कहा कि यह राज्य सरकार का प्रश्न है और राज्य सरकार को केंद्र सरकार सलाह दे सकती है । लेकिन कई बार सेना प्रमुख की सुरक्षा के संदर्भ में केंद्र सरकार कई बार अपनी राय नहीं बना पाती है, अपना स्टैंड नहीं ले पाती है। इसलिए अगर एस.पी.जी. की सिक्योरिटी उनको दी जाए तो मेरे ख्याल से केंद्र सरकार यह जिम्मेदारी लेगी और केंद्र सरकार की जिम्मेदारी पर हमें ज्यादा भरोसा होगा ।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Now, the Hon. Minister to move the Motion.

SHRI L.K. ADVANI: Sir, I am extremely grateful to the House for the kind of unanimous support that they have given not only for this particular Bill but even for the proposal that in the matter of VIP security, the approach of the Government should be to ensure that the citizens' security at large is not affected, and, therefore, that the drastic curtailment in the present levels of VIP security would be a right direction to move in. इन दोनों बातों का आपने समर्थन किया है इसके लिए मैं बहुत आभारी हूं ।

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): The question is:

"That the Special Protection Group (Amendment) Bill,1999,be taken into consideration."

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 and 3 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): Now, the Minister to move the Bill.

SHRI L.K. ADVANI: Sir, I move:

" That the Bill be passed."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR): The House is adjourned for lunch till 2.15 p.m.

The House then adjourned for lunch at thirteen minutes past one of the clock.

The House reassembled after lunch at twenty one minutes past two of the clock,

[The Vice-Chairman (Shri Adhik Shirodkar) in the Chair]

THE CENTRAL INDUSTRIAL SECURITY FORE (AMENDMENT AND VALIDATION) BILL, 1999

THE VICE-CHAIRMAN (SHRI ADHIK SHIRODKAR) : Hon. Members, we have before us the Central Industrial Security Force (Amendment and Validation) Bill, 1999. Shri Advani to move the motion for consideration.

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI) : Sir, I beg to move:

> "That the Bill further to amend the Central Industrial Security Force Act, 1968, and to validate certain revision petitions disposed of under the rules made under the said Act, be taken into consideration."

Sir, the Central Industrial Security Force (CISF) was raised under the CISF Act, 1968 to provide protection and security to the Central Government industrial undertakings. This particular Bill seeks to widen the scope of the CISF functioning. After all, there are many other Government organisations which are not covered within the definition given in the present Act which confines itself to industrial undertakings, public sector undertakings. But those are of strategic importance to the nation. The Bill seeks to empower the Government to deploy the CISF for the protection of property of other Government-funded organisations and to perform such other security duties as are entrusted to it by the Government. Accordingly, sub-section (1) of section 3 of the said Act relating to the definition is proposed to be amended.

In the emerging scenario of liberalisation, the private sector will play an increasing role in the economy of the country. The CISF is the only organisation which has acquired a very high degree of sophistication and specialisation in the field of industrial security. The expertise of the CISF can be utilised by the private sector industries also. The CISF can provide consultancy services to the private sector to develop and strengthen their